
APPLICATION NO.	23/00352/FULLS
APPLICATION TYPE	FULL APPLICATION - SOUTH
REGISTERED	09.02.2023
APPLICANT	Emma Scott
SITE	32 Botley Road, North Baddesley, Hampshire, SO52 9DQ, NORTH BADDESLEY
PROPOSAL	Change of use of ground floor from dental practice to beauty clinic
AMENDMENTS	Amendment to site location plan and site layout, clarifying the extent of the site boundary and number of parking spaces available.
CASE OFFICER	Mr Nathan Glasgow

Background paper (Local Government Act 1972 Section 100D)

[Click here to view application](#)

1.0 INTRODUCTION

1.1 The application is presented to the Southern Area Planning Committee at the request of a local Ward Councillor.

2.0 SITE LOCATION AND DESCRIPTION

2.1 The application site is a semi-detached two-storey property located on the southern side of Botley Road. The building was originally built as a pair of residential dwellings, but the ground floor of no.32 has since been converted into a dental practice; the first floor of no.32 is a two-bed residential flat.

3.0 PROPOSAL

3.1 Change of use of ground floor from dental practice to beauty clinic.

3.2 No external works are proposed, with only a revised ground floor internal layout proposed.

4.0 HISTORY

4.1 **19/01631/FULLS** – Single storey front and rear extensions to form enlarged waiting area and additional surgery room, staff kitchen / W.C. and new glass balustrade to existing ramp – Refused for the following reasons:

1. The proposed parking layout does not provide safe access for highway users, as some of the car parking spaces cannot be vacated in a forward gear. The proposal is contrary to policy T1.
2. The additional surgery/consulting room creates an additional demand for parking. Insufficient parking space can be provided within the curtilage of 32 Botley Road, and it has not been demonstrated how any variations from the standard can be justified. The proposal is not in accordance with Policy T2.

3. By reason of the layout and siting, the proposed parking area in front of 34 Botley Road would cause harmful additional noise. This would be detrimental to neighbouring amenity, particularly 34 Botley Road and 25 Emer Close. The proposal thereby conflicts with part a) of Policy LHW4.

4.2 **08/01200/FULLS** – Conversion and change of use of existing two storey house with garage to divide into 1 x two-bedroom first floor flat with ground floor entrance hall and access and alterations to ground floor for dental surgery, including extension of parking facilities – Permission subject to the following conditions:

1. The development hereby permitted shall be begun within three years from the date of this permission.
2. The materials to be used in the construction of all external surfaces of the development hereby permitted shall match in type, colour and texture those used in the existing building.
3. The development shall not be occupation until space has been laid out and provided for the parking and manoeuvring of vehicles in accordance with the approved plan and this space shall thereafter be reserved for such purposes at all times.
4. The premises shall be used for dental practices and for no other purpose, including any purpose in Class D1 of the Schedule of to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.
5. The operation of the dental services hereby permitted shall be restricted such that the start times of appointments for clients shall be set within the hours of 08.00 and 18.00 Monday to Friday and 09.00 and 13.00 Saturdays only, and at no time on Sundays or bank holidays.
6. No development shall take place unless and until details of any proposed external plant and equipment have been submitted to and approved in writing by the local planning authority. Any measures required by the local planning authority to reduce noise from the plant or equipment shall be completed prior to the same being brought into use.

4.3 **TVS.05484/2** – Erection of single storey rear extension to provide extended living accommodation – Permission subject to the following conditions:

1. The development hereby permitted shall be begun within five years from the date of this permission.
2. The development hereby permitted shall be carried out and completed strictly in accordance with the submitted plans, specifications and written particulars for which permission is hereby granted or which are subsequently submitted to, and approved in writing by, the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.
3. The materials to be used in the construction of all external surfaces of the development hereby permitted shall match in type, colour and texture those used in the existing building.

4.4 A recent planning application has been referred to within the public comments. However, the planning application referred to did not include this application site, and has no relationship with this application / site. For completeness the application reference number is 23/00065/FULLS – Erect 6 dwellings and construct vehicular access – Application was withdrawn 23.03.2023.

5.0 CONSULTATIONS

5.1 **Environmental Protection** – No objection subject to conditions

5.2 **Highways (HCC)** – No objection

6.0 **REPRESENTATIONS** Expired 04.05.2023

6.1 **North Baddesley Parish Council** – 1st response 14.02.2023 – No objection

6.2 **North Baddesley Parish Council** – 2nd response 28.03.2023 – Objection “Lack of parking spaces for business premises and residential. Concern over opening hours and impact on local residents”.

6.3 A further five letters of objections have been received; two during the publicity period, and a further three during the second round of publicity. These representations are summarised below.

First round of comments:

- Confirmation needed in relation to the amount of parking spaces proposed
- Clarification in relation to those parking spaces also shown within the site layout for application reference 23/00065/FULLS
- Unit should be residential
- Permission should not automatically be transferred to a new occupier
- Hours of use should be limited
- Application should be “viewed in conjunction with 23/00065/FULLS
- Increased traffic and parking overload will exacerbate the existing issues
- No provision for large construction vehicles
- Dental practice being private and not NHS
- Overdevelopment, as supported by 19/01631/FULLS

Second round of comments:

- Strong objection to reduction in parking spaces to four
- Parking space for staff and occupants of first floor flat
- Vehicles parking in front of 26-30 Botley Road
- The use of planning agents
- Concerns relating to initial Highways comments and not being provided public comments
- Doubling up of working hours proposed
- This is a residential property in a residential area
- Cumulative impact of both applications
- Location of bus stops is incorrect
- Inconsistencies in numbers of staff and hours of use
- What does the training pertain to?

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

7.2 Test Valley Borough Revised Local Plan (2016)(RLP)

SD1: Sustainable Development

COM2: Settlement Hierarchy

E1: High Quality Development in the Borough

LHW4: Amenity

T1: Managing Movement

T2: Parking Standards

8.0 **PLANNING CONSIDERATIONS**

8.1 The main planning considerations are:

- Principle of development
- Impact on character and appearance of the area
- Impact on neighbouring amenity
- Impact on highway safety

8.2 **Principle of development**

The application site is located within the settlement boundary of North Baddesley, as defined by the Inset Maps of the Revised Local Plan. Development located within the settlement boundary is considered to be acceptable in principle under Policy COM2, provided that the scheme accords also with the relevant planning policies of the local plan, as assessed below.

8.3 **Impact on character and appearance of the area**

The proposals relate solely to a change of use of the ground floor of no.32, with no external changes proposed. Therefore, there would be no change in external appearance of the property resulting from the proposal. It has been suggested by local residents that the use of the building would be subject to an increased usage from patients / visitors, which may result in a change to the character and appearance of the area. The increased use of the building is assessed below in the highway section of the report, but the ground floor unit, which this application relates to is, at present, in a business use, and not residential. The proposed change of use would not alter this – it is considered that the scheme would not be contrary to the provisions of Policy E1 of the Revised Local Plan.

8.4 **Impact on neighbouring amenity**

As above, there are no external works and neither does the proposal involve any additional built-form. However, consideration has to be made in relation to whether the use of the ground floor as a beauty salon would have any detrimental impact upon the neighbouring residents when considered against the existing lawful use of the ground floor as a dental surgery.

8.5 Noise

The existing dental surgery would result in some noise such as car doors opening and closing, cars manoeuvring into and out of the site and noises associated with a dental practice such as dental drills, hoovers and suction equipment, as well as from machinery such as compressors. The proposed beauty salon is still likely to result in noise from car doors opening and closing, cars manoeuvring into and out of the site, but taking into consideration the lawfully permitted opening hours of the dental surgery and the proposed opening hours requested in this application it is not considered that the disturbance will be materially different from the current permitted use. Furthermore, the proposed use is unlikely to result in noise impacts such as those found within the dental surgery. Taking the above into consideration it is considered that there would no significant additional noise impact from the proposed use and subject to a condition relating to opening hours the development accords with Policy LHW4 of the revised Local Plan.

8.6 Plant and machinery

There is no indication as to what, if any, plant and machinery may be necessary for the conversion and subsequent use to take place, such as ventilation and air conditioning. A condition has been recommended to the effect of requiring details of any additional plant and machinery that would be used in connection with the proposed use of the unit as a beauty salon. Were any equipment required this would be subject to detailed scrutiny by the planning department and Environmental Protection department to ensure that any plant would not result in harm to the amenities of existing residents. Subject to these details, where necessary, the proposal is not considered to likely result in any increased loss of amenity in terms of noise and pollution, and accords with Policy LHW4 of the Revised Local Plan.

8.7 **Impact on highway safety**

The application seeks to retain the four parking spaces to the existing unit in its current layout, while the site takes direct access from the spur road off of Botley Road, which runs parallel to Botley Road and serves no's 26-34 Botley Road, and both Emer Close and Ashfield View. The four spaces are sited directly to the front of the application site, along the boundary with no.34; the parking area shows no real delineation between the application site and no.34 other than the laying of different block paving.

8.8 Upon first viewing of the application, the Highways Officer concurred with the assessment that the change of use would likely result in a net decrease in vehicular trips than the existing use (dental surgery) and that it would not lead to any material detrimental impact upon the safety and efficiency of the public highway network. Concern was however raised in relation to the ability of vehicles manoeuvring within the site and the accessibility of a parking bay, the space closest to the building. Further information was subsequently requested.

8.9 The applicant submitted a Highways Technical Note following this consultation response, which concerned matters relating to access, parking and trip rates.

8.10 Access

The proposed layout of parking and access to the site is to remain as existing. The initial concern raised by the Highways Officer, in relation to on-site manoeuvrability has been overcome. The Highways Technical Note provides a rebuttal to the initial comments, setting out that the parking area is to be unchanged and there have been no issues with the existing layout. The Highways Officer has 'acknowledged and accepted' this statement.

8.11 Parking

As above, the parking spaces are to be retained as existing. The application has caused confusion with the initial submission referencing additional parking which was not within the site ownership. This has since been rectified.

8.12 The Local Plan does not provide an assessment of parking provision for a beauty salon use and as such a decision must be considered on a case-by-case basis and on the evidence submitted. Information has been provided in relation to the permitted hours of use for the existing unit, the actual hours of use of the existing unit, and the number of staff and visitors to the dental surgery, and these are compared to the proposed use.

8.13 A letter from the dental surgery (dated May 5th) confirmed the open hours as:

Monday 08:00 – 17:00
Tuesday 08:30 – 18:30
Wednesday 08:30 – 17:30
Thursday 08:30 – 17:30
Friday 09:00 – 17:00
Saturday 09:30 – 13:00

8.14 In addition to this, appointment times at the surgery were varied between 10 and 45 minutes, however the average was closer to 15 minutes. Approximately 30 to 45 patients were received per day, with 8 members of staff being employed on site.

8.15 The proposed working hours for the beauty salon would be as follows:

Monday 08:00 – 18:00
Tuesday 09:00 – 18:00
Wednesday 09:00 – 18:00
Thursday 09:00 – 18:00
Friday 09:00 – 18:00
Saturday 09:30 – 17:00

8.16 Appointment times are likely to be in the range of 75 minutes, with it expected that at full capacity, there could be 6 clients per day, per member of staff. Staff numbers would be 2 full-time and 1 part-time.

8.17 When comparison is made between the existing use and the proposal, it is considered that the proposal will not be more intensive than the existing. The evidence shows that the number of visitors will decrease and their visits would be longer. Furthermore, the number of staff is less than the existing. On this basis, the comments from the Highway Officer and the lack of evidence to the contrary it is considered that the resultant parking would be adequate and the proposed use would be no more harmful than the current situation.

8.18 TRICS Data

The TRICS data that has been carried out anticipates that trip rates would likely be less than the existing lawful use of the site. The database used is the industry standard for predicting likely traffic impact from various types of development. The results of the TRICS data assessed that there is likely to be 50 daily traffic movements to the site on an average day, considering the floor area of the unit (72sqm) as a dentist. In contrast, a worst-case scenario for full occupancy of the beauty salon is likely to result in 36 daily traffic movements (taking into account the matters discussed above). This formula and assessment has been 'assessed and deemed acceptable' by the Highways Officer.

8.19 Following the assessment contained within the Highways Technical Note, the Highways Officer has no objection to the proposed scheme. There is not considered to be a loss of available parking and the intensity of the proposed use of the application site is considered to be a reduction in comparison to the existing lawful use on site. The scheme is therefore considered to accord with policies T1 and T2 of the Revised Local Plan.

8.20 **Other matters**

The Parish Council and two local residents have objected to the scheme, as outlined above. It should be noted that the following concerns within those objections are not material to the determination of the planning application:

- *Unit should be residential* – As with all planning applications, they must be considered on their planning merits and not alternatives that might be preferable to local residents.
- *Application should be "viewed in conjunction with 23/00065/FULLS* – The application has been withdrawn and therefore no decision made on its acceptability, and furthermore, each application must be determined on its own merits.
- *Dental practice being private and not NHS* – Specific evidence relating the past use has been provided and considered above.
- *Permission should not automatically be transferred to a new occupier* – It is not, planning permission is required for the change of use and that is what is being considered.
- *The use of planning agents* – Planning agents are often used for the submission of planning applications and are recommended as planning can be a complicated process.

8.21 Furthermore, the following matters have been considered in the above paragraphs / assessment:

- Confirmation needed in relation to the amount of parking spaces proposed
- Clarification in relation to those parking spaces also shown within the site layout for application reference 23/00065/FULLS
- Hours of use should be limited
- Increased traffic and parking overload will exacerbate the existing issues
- Doubling up of working hours proposed
- Strong objection to reduction in parking spaces to four

8.22 Provision for large construction vehicles

It is not known as to what this provision relates to. The site is proposed to be used as a beauty salon, where large vehicles are not required as part of its day to day operation. There may be a requirement for large vehicles to deliver some of the items that are incidental to the use (tanning booths etc.). The delivery of such equipment will not be a regular occurrence and some minor and temporary inconvenience during the 'fitting out phase' of a development is a consequence of development being granted planning permission.

8.23 Overdevelopment, as supported by 19/01631/FULLS

Reference is made to the planning application which concerned extensions to the dental surgery. Representations from local residents are of the view that the same matters are relevant in this application. Local planning authorities are required to determine applications on their own merits; notwithstanding this point, the application sought extensions to the dental practice, while the application being considered here is for a straight change of use with no additional development / built form. The refusal of 19/01631/FULLS, though a material consideration, is not comparable in any way to the application currently under consideration. The previous application sought to make the unit larger, more intensive and proposed external alterations to the property. As such, the previous refusal is afforded limited weight in the determination of the planning application.

8.24 Parking space for staff and occupants of the first floor flat

The provision of staff spaces have been considered above. It is acknowledged that a first floor, two-bed flat exists above the application site. There is no specific provision of parking for this flat. However, this is a situation that is currently in existence, and has been since the conversion of the ground floor, granted in 2008. It is not for this application to provide parking provision for a property that is not subject to the planning application, particularly when this provision is already not in existence. The provision of allocated parking within the site is a matter for the owner of the flat and the owner of the commercial unit below it.

- 8.25 Vehicles parking in front of 26-30 Botley Road
The road fronting 26-30 Botley Road is the spur road which provides access from Botley Road. It is a public road and provided a car has valid tax, MOT and insurance a car can park on the road. There are no controls or limitations that the LPA could place upon restricting this being used for the parking of vehicles. Notwithstanding this point, it has been assessed by the Highways Officers that there would be a reduction in visitors to the site and the proposal will not result in harm to highway safety.
- 8.26 Concerns relating to initial Highways comments and not being provided public comments
A local resident has suggested that the Highways Officer is not privy to public comments, in part due to the commentary within the consultation which states “the Highway Authority’s comments are based upon the supporting information submitted by the applicant”. This is a standard response to highlight that the application has been considered objectively, and is not ‘intended to state that comments are based upon the *conclusions* of the applicant’.
- 8.27 This is a residential property in a residential area
This is incorrect. The lawful use of the site is a dental surgery, and not a residential property (the residential flat above is a separate planning unit). It is acknowledged that the wider area to the south of Botley Road is predominantly residential, but it is not uncommon for non-residential units to be located within a wider residential setting.
- 8.28 Cumulative impact of both applications
This is not a material planning consideration but it is worth confirming that the two applications referred (this application and 23/00065/FULLS) are not considered cumulatively, and each are considered on their own merits. It is acknowledged that in the original submission, there were errors and confusion which arose from this. This has however been rectified, and furthermore, the adjacent planning application 23/00065/FULLS has since been withdrawn.
- 8.29 Location of bus stops is incorrect
It has been stated that the proximity to the bus stops has been incorrectly labelled and that no buses run along Botley Road. However, a bus stop is located on the eastern carriageway approximately 235m to the east, opposite the BP garage, while to the west, on the western carriage, a bus stop is located 815m away. In addition to this, there is a second bus route along both Rownhams Lane and Rownhams Road, which are in relatively close proximity to the application site.
- 8.30 What does the training pertain to?
The application does not include reference to any additional training that would be taking place. However, with the reduction of staff and visitors throughout the day, plus the location of the site to bus routes and general proximity to Romsey, it is not considered that any training of staff that may be carried out on site would result in further harm to highway safety.

9.0 CONCLUSION

- 9.1 It is considered that the proposed change of use of the ground floor unit would not have a detrimental impact upon the character and appearance of the area, and subject to two relevant planning conditions, there is not considered to be any harm to the amenities of neighbouring residents.
- 9.2 Despite public concern being raised, the application is supported by a robust Highways Technical Note which considers matters of highway safety and parking provision. These measures have been acknowledged and accepted by the Highway Authority, where no objection has been raised. Therefore, it is also considered that the proposal would not result in harm to highway safety.
- 9.3 The scheme is therefore considered to accord with the provisions of the Test Valley Borough Revised Local Plan (2016) and is therefore acceptable subject to the planning conditions listed below.

10.0 RECOMMENDATION

PERMISSION subject to:

1. **The development hereby permitted shall be begun within three years from the date of this permission.**
Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. **The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans/numbers:**
Location Plan - 2019/02 B V3
Proposed Layout
Reason: For the avoidance of doubt and in the interests of proper planning.
3. **The use hereby permitted shall only open for business between the hours of 09:00 and 18:00 Monday to Friday, 09:00 and 17:00 Saturdays, and at no time on Sundays or Public Holidays.**
Reason: In the interest of the amenities of the local area and local residents, and the character of the area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.
4. **Prior to the first use / occupation of the development hereby permitted, details of any proposed external plant and equipment shall be submitted to and approved in writing by the Local Planning Authority. Any measures required by the Local Planning Authority to reduce noise from the plant or equipment shall be completed prior to the same being brought into use.**
Reason: In the interest of the amenities of local residents in accordance with Test Valley Borough Revised Local Plan (2016) Policy E8.

Note to applicant:

- 1. In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.**
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